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April 27, 2019

Via ECF

Hon. Loretta A. Preska
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *Petersen Energia Inversora, S.A.U. v. Argentine Republic*, No. 15-cv-02739

Dear Judge Preska:

As the Court is aware, the Second Circuit recently issued its mandate affirming Your Honor's denial of Defendants' motions to dismiss based on the Foreign Sovereign Immunities Act ("FSIA"), thereby returning the case to this Court for further proceedings. The Second Circuit's mandate terminated the limited stay that the appeals court had granted to permit Defendants to file petitions for certiorari. Defendants subsequently moved for emergency relief from the Second Circuit to recall the mandate and reconsider its decision to allow the case to proceed even while the Supreme Court considers their certiorari petitions. After full briefing, the Second Circuit on Friday denied those motions in their entirety.

There is thus no question that the Second Circuit has concluded, after full consideration, that the case should move forward notwithstanding the pending certiorari petitions. A stay pending the filing of a petition for certiorari is not a matter of right, even in FSIA cases, and doubtless the more than four-year delay in Plaintiffs' case caused by Defendants' meritless FSIA motions weighed on the Circuit's decision not to extend the stay further.

In light of the Second Circuit's rulings, Plaintiffs respectfully request that this Court convene a status conference as soon as possible.

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Respectfully submitted,

/s/ Mark C. Hansen

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